

REMARKS

The courtesies extended by the Examiner in granting the 11 August 2005 interview are appreciatively noted at the outset. During the interview, the references cited by the Examiner in the 23 June 2005 Office Action were discussed in light of the clarifying amendments proposed to the claims by the undersigned attorney. Agreement was reached at the interview that the pending claims amended as set forth herein do overcome the presently outstanding rejections.

Accordingly, responsive to the 23 June 2005 Office Action and the discussions had at the interview, Claim 8 is now cancelled without prejudice or disclaimer, and Claims 4 – 7 and 9 – 10 are amended for further prosecution with the other pending claims. It is believed that with such amendment of claims, there is a further clarification of their recitations.

In the Office Action, the Examiner first objected to Claim 4 for containing a grammatic inconsistency. The Examiner also rejected Claims 10 and 11 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In this regard, the Examiner stated that Claim 10 leaves unclear where the appendages are secured. It is believed that the amendments incorporated into the claims hereby now obviate the Examiner's formal concerns, including that set forth under 35 U.S.C. § 112, second paragraph.

Also in the Office Action, the Examiner rejected Claims 4 – 6 under 35 U.S.C. § 102(b) as being anticipated by the Mizusawa reference. The Examiner additionally rejected Claims 4 – 11 under 35 U.S.C. § 103(a) as being unpatentable over the Jacobs reference in view of the Moore et al. reference, citing Moore et al. for disclosing prongs extending toward a body.

As each of the newly-amended independent claims 4 and 10 now more clearly recites, Applicant's claimed system and method includes among its combination of features those of providing “at least one flexible connecting member” that comprises “a coil spring,” and a connecting structure for securing one or more appendages to a body of a novelty item. As each of the newly-amended independent Claims 1 and 10 also now further recites, “one end of said flexible connecting member” is “connect[ed]” to the “connecting structure” while “another end” is “connect[ed] to the “body.”

The full combination of these and other features now more clearly recited by Applicant's pending claims is nowhere disclosed by the cited references. Note in this regard that the Mizusawa reference discloses an integrally formed hinge-like component for joining a pair of circuit boards. The device is formed with a particular configuration wherein first and second base portions are formed as contiguous extensions from an intermediate hinge portion 25 (of reduced thickness). Nowhere does Mizusawa even suggest any other extraneous

component, let alone “a coil spring” employed as recited in newly-amended independent Claims 4 and 10.

The Moore et al. reference likewise fails to disclose any coil spring or other such element. Indeed, the reference is directed to a retainer clip intended quite specifically for the firmly secured mounting of a molding piece 15 to a wall 12. Thus, the reference hardly even suggests the use in such clip of any “flexible connecting member” comprising “a coil spring” for enabling an appendage to be secured in any “displaceably suspended manner from ... [a] body” as Claims 4 and 10 also clarify.

Referring next to the Jacobs reference, such is also directed to a fastener for firmly affixed attachment of an object to an aperture or a support member. Although it discloses the use of resilient elements such as coil springs 110 (Fig. 11), those resilient elements are used merely as self-adjusting gap fillers provided between the fastened object and the support surface. Those elements do not serve in the actual fastening or connecting function. Not surprisingly, they are offset from the fastener 68 and bolt means 90 rather than having, for instance, “one end ... connect[ed]” thereto, as Claims 4 and 10 now more clearly recite.

It is respectfully submitted that the cited Mizusawa, Moore et al., and Jacobs references, even when considered together, fail to disclose the unique combination of elements now more clearly recited by Applicant’s pending claims for the purposes and objectives disclosed in the subject Patent Application.

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Moreover, the other references cited but not used in the rejection are believed to be further remote from Applicant's claimed apparatus and method when patentability concerns are taken properly into account.

It is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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